

REMARKS

The allowance of claims 1-8 and 12-20 and the indication that claims 10 and 11 would be allowable in independent form have been noted with appreciation.

The minor informality in claim 9 has been corrected by the foregoing amendments.

Claim 9 was rejected under 35 USC 103 over Mizuno in view of Yoshikawa. This rejection is respectfully traversed.

Claim 9 is the broadest independent method claim in this case and is directed to a method of producing the dielectric ceramic of claim 1. In this method, a mixture of a perovskite compound and a calcined material is provided and the mixture is then fired.

Mizuno teaches a composition in which a perovskite compound is mixed with an auxiliary sintering agent which is the combination of a R-containing compound, and an M-containing compound and the resulting combination is fired. See, e.g., column 7, line 18 to column 8, line 10. A mixture of a perovskite compound and a calcined material containing R and M is not provided. The passage cited in the Office Action (col. 23, lines 48-53) does not refer to a calcined material. In addition, there is no teaching or suggestion that the perovskite compound in Mizuno has the crystallographic axial ratio specified in claim 9.

Yoshikawa teaches a barium titanate having a perovskite compound with an appropriate crystallographic axial ratio with regard to the instant claims. However, this is merely a teaching that the perovskite compound exists. No reason is advanced, nor is any apparent, why the Yoshikawa perovskite compound should be selected in preference to any other perovskite compound. Even if it was selected for some unknown reason, substituting Yoshikawa's barium titanate for the perovskite in Mizuno would not result in the claimed process.

Beyond the foregoing, it is respectfully pointed out that combining a perovskite having the required characteristics with the calcined material containing R and M and then firing the resulting mixture results in a dielectric ceramic which is novel and unobvious, as indicated by the allowance of claim 1. The fact that the claimed method results in the formation of a new and unobvious product is a surprising and unexpected result of the claimed process.

For the reasons stated, it is respectfully submitted that the rejection of claim 9 should be withdrawn.

It is respectfully submitted that this application is now in condition to be allowed and an early issuance of a Notice of Allowance is respectfully requested.

Dated: August 3, 2004

Respectfully submitted,

By 
Edward A. Meilman

Registration No.: 24,735
DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP
1177 Avenue of the Americas
41st Floor
New York, New York 10036-2714
(212) 835-1400
Attorney for Applicant